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VIA ECF

Honorable Mark Falk, U.S.M.J.
United States District Court
United States Post Office & Courthouse, Room 457
1 Federal Square
Newark, NJ 07102

Re: NXIVM v. The Ross Institute, et al.;
Docket No. 06-cv-01051 (DMC) (MF)

Dear Judge Falk:

I write to correct a misleading statement in Mr. McGuire's letter dated October 13, 2011. In that letter, he stated that "the Ross parties . . . refused to confirm their telephone numbers, claiming NXIVM already had this information and that there had been no contact with Ms. Bouchey."

More accurately – and notwithstanding that NXIVM had previously subpoenaed all of Mr. Ross's phone carriers – on September 28, I wrote to Mr. McGuire that "I have previously advised you, and I now repeat, ROSS HAS NEVER SPOKEN TO BOUCHEY [emphasis in original]. *I will be happy to provide his certification to that fact*" (emphasis added). Mr. Elberg has similarly confirmed with Ms. Bouchey that she has never spoken to Ross.

Under these circumstances, there can be no doubt that NXIVM continues to seek Mr. Ross's phone numbers for reasons having nothing to do with this lawsuit. It is an abusive tactic that NXIVM has used repeatedly in other jurisdictions to obtain information it then uses to harass its perceived "enemies."

Respectfully submitted,

s/s Peter L. Skolnik

Peter L. Skolnik

PLS:njd

cc: All Counsel (via ECF)

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